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DECLARATION

As the below-named inventors, we declare that:

Our residence, post office address, and citizenship are as stated below under my name.

We believe we are the original and first inventors of the subject matter claimed and for which a patent is sought on the invention entitled "NESTED CONDITIONAL RELATIONS (NCR) MODEL AND ALGEBRA," the specification of which was filed in the U.S. Patent and Trademark Office on August 1, 2001 and assigned application number 09/921,446, which application claims the benefit of U.S. Provisional Application number 60/222,070, filed August 1, 2000.

We have reviewed and understand the contents of the above-identified specification and claims, as amended by any amendment specifically referred to above.

We acknowledge our duty to disclose information which is material to the patentability of this application in accordance with 37 C.F.R. § 1.56(a).

We further declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that the making of willfully false statements and the like is punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and may jeopardize the validity of any patent issuing from this patent application.

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Denise L. Draper

Denise L. Draper

Date 9/28/01

Residence : City of Seattle
State of Washington

Citizenship : United States of America

P.O. Address : 3130 Portage Bay Pl. E., Slip D
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Gary Horen

Date 9/28/2001

Residence : City of Seattle
State of Washington
Citizenship : United States of America
P.O. Address : 434 16th Avenue E.
Seattle, Washington 98112

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Tim A. Wagner

Tim Wagner

Date 9/28/2001

Residence : City of Seattle
State of Washington

Citizenship : United States of America

P.O. Address : 6355 Beach Drive SW
Seattle, Washington 98136

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants	:	Denise L. Draper et al.
Application No.	:	09/921,446
Filed	:	August 1, 2001
For	:	NESTED CONDITIONAL RELATIONS (NCR) MODEL AND ALGEBRA

Docket No. : 337298001US1

Commissioner for Patents
Washington, DC 20231

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ELECTION UNDER 37 C.F.R. §§ 3.71 AND 3.73 AND POWER OF ATTORNEY

Sir:

The undersigned, being Assignee of the entire interest in the above-identified application by virtue of an Assignment filed concurrently herewith, a copy of which is enclosed, hereby elects under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventors.

Assignee hereby appoints JERRY A. RIEDINGER, Registration No. 30,582; MAURICE J. PIRIO, Registration No. 33,273; MICHAEL D. BROADDUS, Registration No. 41,637; CATHERINE HONG TRAN, Registration No. 43,960; ROBERT G. WOOLSTON, Registration No. 37,263; PAUL T. PARKER, Registration No. 38,264; JOHN M. WECHKIN, Registration No. 42,216; CHRISTOPHER DALEY-WATSON, Registration No. 34,807; STEVEN D. LAWRENZ, Registration No. 37,376; JAMES A.D. WHITE, Registration No. 43,985; STEPHEN E. ARNETT, Registration No. 47,392; EDWARD S. HOTCHKISS, Registration No. 33,904; JAMES NICKELSON, Registration No. 46,140; MARK A. THOMAS, Registration No. 37,953;

BRETON A. BOCCHIERI, Registration No. 31,739; BARBARA B. COURTNEY, Registration No. 42,442; PETER J. DEHLINGER, Registration No. 28,006; LEE ANN GORTHEY, Registration No. 37,337; RICHARD L. GREGORY, Registration No. 42,607; LINDA R. JUDGE, Registration No. 42,702; MICHAEL MARTENSEN, Registration No. 46,901; JUDY M. MOHR, Registration No. 38,563; and LARRY THROWER, Registration No. 47,994, all of Perkins Coie LLP, as the principal attorney with full power of substitution, association, and revocation to prosecute said application, to transact all business in the Patent and Trademark Office connected therewith, and to receive the letters patent therefor. Please direct all correspondence to Customer Number 25096.

Bar Code: *25096*

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PATENT TRADEMARK OFFICE

Pursuant to 37 C.F.R. § 3.73, the undersigned duly authorized designee of Assignee certifies that the evidentiary documents have been reviewed, specifically the Assignment to .Nimble Technology, Inc. filed concurrently herewith for recording, a copy of which is attached hereto, and certifies that to the best of my knowledge and belief, title remains in the name of the Assignee.

Dec 12, 2001
Date

Denise L. Draper
Name of Person Signing

Chief Software Architect
Title of Person Signing

Enclosure:
Copy of Assignment

ASSIGNMENT

WHEREAS, we, Denise L. Draper, Gary Horen and Tim Wagner ("ASSIGNORS"), having post office addresses of 3130 Portage Bay Pl., E., Slip D, Seattle, Washington 98102; 434 16th Avenue E., Seattle, Washington 98112 and 6355 Beach Drive SW, Seattle, Washington 98136, are the inventors of an invention entitled "NESTED CONDITIONAL RELATIONS (NCR) MODEL AND ALGEBRA," as described and claimed in the specification for which an application for United States patent was filed on August 1, 2001, and assigned Application No. 09/921,446, which application claims the benefit of U.S. Provisional Application number 60/222,070, filed August 1, 2000; and

WHEREAS, Nimble Technology, Inc. ("ASSIGNEE"), a corporation of the State of Delaware having a place of business at 1938 Fairview Avenue East, Suite 100, Seattle, Washington 98102, is desirous of acquiring the entire right, title, and interest in and to the invention and in and to any patents that may be granted therefor in the United States and in any and all foreign countries;

NOW, THEREFORE, in exchange for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, ASSIGNORS hereby sell, assign, and transfer unto ASSIGNEE, its legal representatives, successors, and assigns, the entire right, title and interest in and to the invention as set forth in the above-mentioned application, including any continuations, continuations-in-part, divisions, reissues, re-examinations, or extensions thereof, any other inventions described in the application, and any and all patents of the United States of America and all foreign countries that may be issued for the invention, including the right to file foreign applications directly in the name of ASSIGNEE and to claim priority rights deriving from the United States application to which foreign applications are entitled by virtue of international convention, treaty or otherwise, the invention, application and all patents on the invention to be held and enjoyed by ASSIGNEE and its successors and assigns for their use and benefit and of their successors and assigns as fully and entirely as the same would have been held and enjoyed by ASSIGNORS had this assignment, transfer, and sale not been made.

UPON THE ABOVE-STATED CONSIDERATIONS, ASSIGNORS agree to not execute any writing or do any act whatsoever conflicting with this assignment, and at any time upon request, without further or additional consideration but at the expense of ASSIGNEE, execute all instruments and documents and do such additional acts as ASSIGNEE may deem necessary or desirable to perfect ASSIGNEE's enjoyment of this grant, and render all necessary assistance required for the making and prosecution of applications for United States and foreign patents on the invention, for litigation regarding the patents, or for the purpose of protecting title to the invention or patents therefor.

ASSIGNORS authorize and request the Commissioner of Patents and Trademarks to issue any Patent of the United States that may be issued for the invention to ASSIGNEE.

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9/28/01
Date

Denise L. Draper
Denise L. Draper

State of Washington)
) ss.
County of King)

I certify that I know or have satisfactory evidence that Denise L. Draper is the person who appeared before me, and the person acknowledged that she signed this instrument and acknowledged it to be her free and voluntary act for the uses and purposes mentioned in the instrument.

CAROL J. BLACK
FEBRUARY 9, 2002

Dated 9/28/01
Signature of Notary Public Carol J. Black
Printed Name CAROL J. BLACK
My appointment expires 2/9/02

9/28/2001
Date

Gary Horen

State of Washington)
) ss.
County of King)

I certify that I know or have satisfactory evidence that Gary Horen is the person who appeared before me, and the person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

CAROL J. BLACK
FEBRUARY 9, 2002

Dated 9/28/01
Signature of Notary Public Carol J. Black
Printed Name CAROL J. BLACK
My appointment expires 2/9/02

9/28/2001 Tim A Wagner

Date Tim Wagner

State of Washington)

) ss.

County of King)

I certify that I know or have satisfactory evidence that Tim Wagner is the person who appeared before me, and the person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

CAROL J. BLACK

FEBRUARY 9, 2002

Dated 9/28/01

Signature of Notary Public Carol J. Black

Printed Name CAROL J. BLACK

My appointment expires 2/9/02